

David Stebbins (pro se Plaintiff) 123 W. Ridge Ave., APT D, Harrison, AR 72601
(870) 212-4947 acerthorn@yahoo.com

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 3:23-cv-00322-TLT

GOOGLE, LLC

DEFENDANTS

MOTION FOR PARTIAL SUMMARY JUDGMENT

Comes now, *pro se* Plaintiff David Stebbins, who hereby submits the following Motion for Partial Summary Judgment in the above-styled action.

I: RELIEF REQUESTED

For this motion, I ask the Court to declare the following true as a matter of law:

1. First, that the ATTA YouTube channel, as a whole, was not a “fair use channel,” by reason if its video library having precisely zero claim to fair use.
2. Because of this, the icon which is the subject of this lawsuit cannot be considered “part of an otherwise fair use whole,” as I alluded to in ¶¶ 43-51 of the Complaint (Dkt. 5), and therefore must stand as fair use on its own merit in order to be considered fair use. The Defendant cannot rely on the “broader context of the YouTube channel,” like they attempt.

II: TABLE OF CONTENTS

Section	Page
I. RELIEF REQUESTED	i
II. TABLE OF CONTENTS	i
III. TABLE OF AUTHORITIES	ii
IV. UNDISPUTED FACTS	1
V. SUMMARY OF ARGUMENT	x1
VI. ARGUMENT	x2
1. My previous concessions	x3

2. The “Heart” of a “Whole Channel”	x4
3. “Book” Example	x5
4. A Reverse YouTube Channel Example	x6
5. The Defense can still argue fair use	x7
VII. CONCLUSION	x8

III: TABLE OF AUTHORITIES

Rules & Statutes	Page(s)
•	
Case Law	Page(s)
•	